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On November 18, 2005

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE – EXAMINING
GROUP 3762**

PATENT

Attorney Docket No.: 020979-001110US

TOWNSEND and TOWNSEND and CREW LLP

By:

JoAnn Evangelista
JoAnn Evangelista

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RONALD FRENCH et al.

Application No.: 10/796,455

Filed: March 8, 2004

For: METHODS, SYSTEMS AND
DEVICES RELATING TO
IMPLANTABLE FLUID PUMPS

Customer No.: 20350

Confirmation No. 2418

Examiner: MULLEN, KRISTEN
DROESCH

Technology Center/Art Unit: 3762

**AMENDMENT UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
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Sir:

In response to the Final Office Action mailed November 1, 2005, Applicants respond to the Double Patenting rejection by filing the attached Terminal Disclaimer over commonly-owned U.S. Patent No. 6,723,039.

As the only objections raised were for Double Patenting, Applicants believe that all remaining claims are now in condition for allowance and request that the application be passed to issue at an early date.

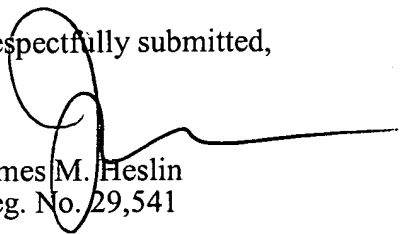
Appl. No. 10/796,455

PATENT

Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 3762 dated November 18, 2005

If for any reason the Examiner believes that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at (650) 326-2400.

Respectfully submitted,


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Attachments: *Terminal Disclaimer '039*
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